

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAZZAAQ MILLER,  
Petitioner,

CIVIL ACTION

v.

PRISON COMMISSIONER LOUIS  
GIORLA, PRISON WARDEN MICHELLE  
FARRELL, and CITY OF  
PHILADELPHIA,  
Respondents.

NO. 14-78

**ORDER**

AND NOW, this 13th day of August, 2014, upon consideration of Petition for Writ of *Habeas Corpus* Under 28 U.S.C. § 2241 filed by *pro se* petitioner, Razzaaq Miller, the record in this case, the Report and Recommendation of United States Magistrate Judge Timothy R. Rice dated July 10, 2014, and Objection to Report and Recommendation filed by *pro se* petitioner, Razzaaq Miller, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Timothy R. Rice dated July 10, 2014, is **APPROVED** and **ADOPTED**;
2. Objection to Report and Recommendation filed by *pro se* petitioner, Razzaaq Miller, is **OVERRULED** for the reasons stated in the Report and Recommendation, and because the Objection is otherwise without legal support. To the extent that *pro se* petitioner objects on the ground that the Magistrate Judge did not consider his Reply filed June 26, 2014, the argument is **REJECTED** on the ground that the Reply was considered by the Magistrate Judge<sup>1</sup>;
3. Petition for Writ of *Habeas Corpus* Under 28 U.S.C. § 2241 filed by *pro se* petitioner, Razzaaq Miller, is **DENIED** and **DISMISSED** without an evidentiary hearing; and,

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<sup>1</sup> See, for example, Footnotes 2 and 5 of the Report and Recommendation.

4. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

/s/ **Hon. Jan E. DuBois**

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**DuBOIS, JAN E., J.**